

REMARKS

Claims 1-5, 7, 8, and 10-40 are pending. Claims 1, 5, 32, 34-37, and 39 have been amended and claims 6 and 9 have been canceled. The amendments presented herein have been made to either rewrite dependent claims into independent form or to add features from one or more previously examined dependent claims into an independent claim. Accordingly, no new issues have been raised that require further searching or consideration by the Examiner. Entry of this paper is therefore respectfully requested.

In the Office Action, claims 1-8, 10-17, 19-31, 34, and 37-40 were rejected under 35 USC § 102(e) for being anticipated by the Lee patent. Applicants request the Examiner to withdraw this rejection for the following reasons.

It is well settled that the effective date of a U.S. patent when used as a reference under 35 USC § 102(e) is its *actual* U.S. filing date, taking into consideration the filing of any prior applications under 35 USC §§ 119(e) and 120. The U.S. filing date of the Lee patent is April 17, 2003. The foreign priority date of the present application, however, is April 16, 2003, based on Korean Patent Application No. 10-2003-0023989. (See the claim for priority filed with the original application papers). The foreign priority date to which the present application is entitled (April 16, 2003) is before the effective filing date of the Lee patent (April 17, 2003).

In order to perfect Applicants claim for priority under 35 USC § 119, an English translation of a certified copy of Korean Patent Application No. 10-2003-0023989 is submitted with this paper, along with a statement from the translator indicating that the translation is accurate.

With the filing of these papers, it is respectfully submitted that the requirements under MPEP § 201.15 have been satisfied for antedating the Lee patent and therefore removing it as a reference against the claims. Withdrawal of the § 102(e) rejection is therefore respectfully requested.

Claims 18, 32, 33, and 35 were rejected under 35 USC § 103(a) for being obvious in view of a Lee-Rilly combination, and claim 36 was rejected for being obvious in view of Lee taken alone. Applicants request withdrawal of these rejections based on the removal of the Lee patent as a reference against the claims.

Claims 1-5 were rejected under 35 USC §102(b) for being anticipated by the Rilly patent. Applicants traverse this rejection on grounds that claim 1 has been amended to recite most of the features of claim 32 and claim 5 has been amended to recite the features of claim 6. These features are not taught or suggested by the Rilly patent, i.e., the Lee patent was relied on to supply the features of claims 6 and 32.

Claims 34, 36, 37, and 39 have been rewritten into independent form. Applicants submit that these claims are allowable over the cited references, as the Lee patent (now antedated) was relied on to supply the features recited in these claims.

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and timely allowance of the application is respectfully requested.

To the extent necessary, a petition for an extension of time under 37 CFR § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
KED & ASSOCIATES, LLP



Daniel Y.J. Kim
Registration No. 36,186

Samuel W. Ntiros
Registration No. 39,318

P.O. Box 221200
Chantilly, Virginia 20153-1200
(703) 766-3777 *DYK/SWN/kerf*

Date: December 5, 2008

Please direct all correspondence to Customer Number 34610

\\Fk4\Documents\2017\2017-099\173473.doc